IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

WP(C).No. 27236 of 2007(P)

PETITIONER:

ANITHA R., W/O. ANIMON,
AGED 24 YEARS, RESIDING AT KARICHALILCHIRAYIL,
KATTILKADAVU P.O., ADINADU NORTH (VIA),
KARUNAGAPPALLY.

BY ADV. SRI.P.C.HARIDAS

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO THE DEPARTMENT OF
LOCAL SELF GOVERNMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THODIYOOR GRAMA PANCHAYAT,
THODIYOOR P.O., KOLLAM DISTRICT, REPRESENTED BY
ITS SECRETARY.

R1 BY SR.GOVT.PLEADER SRI.K.J.MOHAMMED ANZAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

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W.P.(C)No.27236 OF 2007

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DATED THIS THE 13TH SEPTEMBER, 2007

J U D G M E N T

Heard counsel for the petitioner and the Government Pleader who has taken notice on behalf of the 1st respondent. In the nature of the relief which is being given to the petitioner, I am of the view that it is not necessary that the 2nd respondent is served with notice.

2. The grievance of the petitioner is that a licence which had been given to her by the 2nd respondent-Panchayat for conducting a piggery under the name and stayle 'V.F.A.Industries' at Thodiyoor has been cancelled by the Panchayat. According to her, she is yet to be supplied with a copy of the Panchayat Resolution by which it was decided to cancel the licence. The petitioner submits that there are no valid reasons for cancelling the licence since she is having the consent from the Pollution Control Board and No Objection Certificate from the District Medical Officer. The first prayer in the Writ Petition is that the 2nd respondent be directed to issue a copy of the decision taken pursuant to Ext.P7 cancelling the licence issued to the petitioner and the second prayer is that the respondents be prohibited from interfering with the conduct of the pig farm till copy is so served and

the petitioner is afforded an opportunity to prefer appeal against the same.

3. Having regard to these prayers, the averments in the Writ Petition and the submissions made at the Bar, I dispose of the Writ Petition itself issuing the following directions:-

The 2nd respondent is directed to supply to the petitioner a copy of the resolution said to have been taken by the Council of the Panchayat on 7.9.2007 cancelling the licence given to the petitioner for conducting piggery, within seven days of the petitioner producing a copy of this judgment before them. In view of the above direction and in view of the submission of the petitioner that she proposes to challenge that decision in appeal, there will be a further direction to the 2nd respondent to permit the petitioner to maintain status quo as regards the piggery in question for a period of three weeks from today.

(PIUS C.KURIAKOSE, JUDGE)

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